GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Endowments Department – Sri C.Raghupathi, Additional Commissioner of Endowments (retired) – Charges framed - Inquiring Authority appointed – Hon'ble APAT in its orders dated 09.04.2012 in O.A.No.1861/2011 filed by Sri C.Raghupathi Addl.Commr, Endowments (Retd) has set aside charges – APAT orders Implemented – Orders – issued.

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In the result the charge memo issued in G.O Rt. No 1239 dated 07.07.2003 is set aside. The OA is allowed accordingly".

5. Government after examining entire case have filed an Appeal before the High Court vide W.P.Nos.24968, 24971 & 25227 against the remaining charged officers. The High Court it its common orders dated 10.4.2014, in W.P.Nos.24968, 24971 & 25227 among other things has ordered as follows :-

"It is not the case of the petitioner herein that any one of the charged officers delivered or handed-over advance possession or alienated the land in favour of the Society. Charges leveled against the charged officers that they obtained house plots in the Society in their official capacity. It is not in dispute before this Court that society according to byelaws allotted house plots in the society by virtue of their membership in the society, but not in the official capacity. Therefore, the charges framed against charged officers do not amount to misconduct because they got the house plots by virtue of membership in the society. As per byelaw No.5 of Society, any person who is employed in Simhachalam Devastanam and its subsidiary institutions shall be eligible for admission as member. In terms of this byelaw, the charged officers became members of the society. The Board of Governors of society duly admitted the charged officers as members of Society. When the house plot was allotted to each of the charged officers, the same was incorporated in the property statement to the concerned authority. The charged officers have not abused their official position in securing the house plots from the society. It is not in dispute that Y.Srimannarayana as full additional charge of Executive Officer of Simhachalam Devasthanam in proceedings R.C.No.C1/3923/1987, dt:04.6.1990 had given advance possession of the land to an extent of Ac.10.07 cents to the house building society. Government Pleader representing Additional Advocate General has not denied this fact. It is a case where there is no evidence against any one of the charged officers. Therefore, the Tribunal, after considering all these aspects, rightly allowed the Original Applications and that orders need no interference by this Court as it is a case of no evidence at all to show about the misconduct. None of the findings of the Tribunal is shown to be perverse. Accordingly the writ petitions are dismissed".

6. Government after examination of the orders of High Court dated 10.4.2014, in W.P.Nos.24968, 24971 & 25227 have decided to implement the orders of A.P.Administrative Tribunal dated 23.06.2010 in OA No 1665 /2010 and drop further action against Sri C.Raghupathi, Additional Commissioner, Endowments (Retd).

7. The Commissioner of Endowments Andhra Pradesh, Hyderabad is requested to take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.S.V.PRASAD
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri C. Raghupathi, Additional Commissioner, Endowments (Retd)
(through the Commissioner of Endowments A.P., Hyderabad.
The Commissioner of Endowments Andhra Pradesh, Hyderabad

Copy to :

The Government Pleader for Services A.P.Administrative Tribunal, Hyderabad
The Advocate General of Andhra Pradesh, Andhra Pradesh High Court, Hyderabad.
The Director General, Anti Corruption Bureau, Andhra Pradesh, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.
SF / SC

// FORWARDED :: BY ORDER //

SECTION OFFICER